IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.39584 of 2008
MD.HAFIZ ANSARI
Versus
STATE OF BIHAR

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2 16.09.2008 Heard.

The FIR was originally instituted u/s 341, 323, 504, 307/34 IPC but when the deceased died 14 days later, Section 302 IPC was also added.

The allegation is that due to a dispute relating to measurement of land, the occurrence of assault took place wherein petitioner and three other FIR named accused assaulted informant's father (deceased) with Lathi, who was sent to the Hospital for treatment, but died after six days in course of treatment.

Learned counsel for the petitioner submits that the allegation of petitioner is of general and omnibus in nature, without any specific accusation as to who caused fatal injury i.e. head injury which was caused by Lathi. Petitioner is said to be in custody since 7th June 2008. Referring to Annexure-2, it is also submitted that a compromise petition has also beenfiled before the learned Chief Judicial Magistrate, Ararai.

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Mr. S.R.Haque does not point out any other material.

Under the circumstances, petitioner Md. Hafiz Ansari is admitted to bail on his furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Araria P.S.Case No. 182 of 2008.

Jay/ **(C.M.Prasad,J)**

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